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A PROFESSIONAL CORPORATION
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4 Attorneys for Plaintiff
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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
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11 BOARD OF TRUSTEES OF THE AUTOMOTIVE) NO. C 08 1292 VRW
12 INDUSTRIES, et al.)
13) DECLARATION OF ATTORNEY
Plaintiff,) MICHAEL J. CARROLL IN
14) SUPPORT OF PLAINTIFF'S
vs.) EX PARTE APPLICATION FOR
15) ORDER TO CONTINUE CASE
OMEGA TANK AND TRUCK REPAIR, INC., a) MANAGEMENT CONFERENCE
16 California corporation)
17)
Defendant.)
18)

19 I, MICHAEL J. CARROLL, certify:

20 1. I am an attorney with the law firm of Erskine & Tulley,
21 A Professional Corporation, attorneys for plaintiff, BOARD OF TRUSTEES
22 OF THE AUTOMOTIVE INDUSTRIES WELFARE FUND, AUTOMOTIVE INDUSTRIES
23 PENSION FUND; JIM BENO, TRUSTEE, in this action. I am duly admitted
24 to practice law in the United States District Court, Northern District
25 of California. If called as a witness, I could and would competently
26 testify as follows:

27 2. Service was accomplished upon the only party in this
28 case on May 29, 2008. No responsive pleading was filed.

PROOF OF SERVICE BY MAIL

I am a citizen of the United States and employed in the City and County of San Francisco, California. I am over the age of eighteen years and not a party to the within above entitled action; my business address is 220 Montgomery Street, Suite 303, San Francisco, CA 94104. On September 4, 2008 I served the within DECLARATION OF MICHAEL J. CARROLL IN SUPPORT OF PLAINTIFF'S EX PARTE APPLICATION FOR ORDER TO CONTINUE CASE MANAGEMENT CONFERENCE on the defendant in said action, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States post office mail box at San Francisco, CA, addressed as follows:

Omega Tank and Truck Repair, Inc.
2600 Rice Avenue
West Sacramento, CA 95691

I, SHARON EASTMAN, certify (or declare), under penalty of perjury that the foregoing is true and correct.

Executed on September 4, 2008 at San Francisco, CA.

/s/Sharon Eastman
Sharon Eastman